

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF MARTINSVILLE

**COMMONWEALTH OF VIRGINIA,)
vs.) CR19-0009-00
BRIAN DAVID HILL,)
Defendant.)**

MOTION TO WITHDRAW AS COUNSEL OF RECORD

COMES NOW Lauren McGarry, counsel for the Defendant Brian David Hill, who respectfully requests to be permitted to withdraw, and who shows unto the Court as follows:

1. An actual conflict of interest exists concerning matters of zealous representation of clients, diligence and the relationship between counsel and the Defendant. *See* Rules of Professional Conduct 1.3, 1.6 and 1.7; *see also Holloway v. Arkansas*, 435 U.S. 475 (1978); *Dowell v. Commonwealth*, 3 Va. App. 555 (1987).
2. WHEREFORE, the undersigned attorney prays that she has shown good cause and prays as follows:
 1. That the Court find good cause to permit withdrawal of the undersigned counsel;
 2. That the Court enter an order allowing the undersigned counsel, and the Office of the Public Defender, to withdraw; and
 3. That the Court by separate order appoint another attorney to represent the named Defendant.

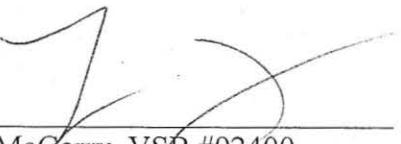
Respectfully submitted,

Lauren McGarry
Counsel for Defendant

SEEN: Brian D. Hill
Signed

Brian David Hill

I ASK FOR THIS:



Lauren McGarry, VSB #92400
Counsel for Defendant
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P.O. Drawer 31
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SEEN:

Commonwealth's Attorney

SEEN:


Signed

Brian David Hill

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ORDER

CAME THIS DAY the Defendant, by counsel, upon motion of counsel for the Defendant to withdraw, and upon consideration of the evidence and arguments of counsel, the Court finds:

1. That the Defendant has heretofore been represented by Lauren McGarry, who is a duly licensed attorney, and who was appointed to represent the indigent defendant; and
2. That a conflict of interest exists between the Office of the Public Defender and Brian David Hill in this matter. The conflict concerns matters of zealous representation of clients, diligence, and the relationship between counsel and the Defendant.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. That good cause exists to permit the withdrawal of Lauren McGarry and the Office of the Public Defender as attorney of record, and that the said attorney is hereby allowed to withdraw; and,
2. The Court by separate order has appointed another attorney to represent the above named Defendant.

ENTERED this _____ day of _____, 2019.

Judge